

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:07-CR-00094-RJC-SCR

USA

v.

JOHN LYNN LATTAKER

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ORDER

THIS MATTER comes before the Court on the defendant's pro se Motion to Modify Sentence, pursuant to 18 U.S.C. § 3582(c)(2). (Doc. No. 94).

Title 18, United States Code, Section 3582(c)(2) allows a court to reduce a sentence based on a guideline range that has been subsequently lowered by the Sentencing Commission if consistent with its policy statements. Here, the defendant relies on Amendment 829, (Doc. No. 94: Motion at 2), which is not designated as retroactive by the Commission in its policy statement, USSG §1B1.10(a)(1), (d) (2024). Thus, he is not entitled to relief.

IT IS, THEREFORE, ORDERED that the defendant's Motion to Modify Sentence, (Doc. No. 94), is **DENIED**.

Signed: December 2, 2024



Robert J. Conrad, Jr.
United States District Judge

